

IN THE UNITED STATES DISTRICT COURT
FOR THE Northern DISTRICT OF TEXAS
Fort Worth DIVISION

Joseph Lee Gregory 0440167
Plaintiff's Name and ID Number

Tarrant County Correction Center
Place of Confinement

4-22CV-304-0

CASE NO. _____
(Clerk will assign the number)

v.

Billy Waybourn Sheriff 200 Taylor St 2nd Floor
Fort Worth, TX 76106
Defendant's Name and Address

Tarrant County Sheriff's Dept 200 Taylor St 2nd Floor
Fort Worth, TX 76106
Defendant's Name and Address

Tim Curry Criminal Justice Center 401 West Bolivar St 4th Floor
Fort Worth, TX 76106
Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of \$400.00.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed any other lawsuit in state or federal court relating to your imprisonment? YES ☒ YES ☐ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: 12/16/2021 *I had to send letter to Criminal Court of appeals, Texas. They sent me letter I have attached it.*
 2. Parties to previous lawsuit:
Plaintiff(s) Joseph Lee Gregory
Defendant(s) Billy Wayborn
Until I sent letter I didn't know my case was dismissed
 3. Court: (If federal, name the district; if state, name the county.) Tarrant
 4. Cause number: WR-43,378-01 C-213-W012064-1673103-A
 5. Name of judge to whom case was assigned: Sharon Keller
 6. Disposition: (Was the case dismissed, appealed, still pending?) Dismissed, Appealed, Denied
 7. Approximate date of disposition: 1/26/2022, 3/14/2022

- II. PLACE OF PRESENT CONFINEMENT: Tarrant County Correction Center
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:
- Have you exhausted all steps of the institutional grievance procedure? YES NO
- Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Joseph LBE Gregory

100 North Lamar Street
~~100 Taylor Street~~
Fort Worth, TX 76186

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Billy Wayberry, Sheriff Tarrant County 200 Taylor Street 7th Floor
Fort Worth TX 76186

Lack of Jurisdiction, Illegally detained from Uniform Criminal Extradition Act

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #2: Tarrant County Sheriff Department

200 Taylor Street 7th Floor Fort Worth, TX 76186

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Lack of Jurisdiction, Void of Governor's Warrant Tort Claims False Imprisonment

Defendant #3: Tim Curry Criminal Justice Center

401 West Belknap Street, 4th Floor Fort Worth, TX 76186

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Tort damages
Common Law

Lack of Jurisdiction, Due Process of Law, Constitutional Tort, dignitary tort, personal

Defendant #4: Gregory Wayne Abbott, Governor P.O. Box 12426
Austin, TX 78711

Due Process of Law, didn't investigate on the Uniform Extradition Act

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

False Imprisonment 1100 Congress Ave. Austin, TX 78701

Defendant #5: Joseph W. Spence, Chief Post Collection, Tarrant County

401 West Belknap Street, 4th Floor Fort Worth, TX 76186

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Lack of Jurisdiction, False Imprisonment, Illegally detained, Tort Claims

STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

The extradition document [or Fugitive Warrant] on its face is insufficient as matter of law because a illegal Governor's Warrant was issued and served to Petitioner. The Governor's Warrant by Arkansas and Texas are void. I was not given my Constitutional rights, 4th, 5th, 8th, and 14th. The Exclusive Writ for Tarrant County to obtain Jurisdiction, without ^{Lawful} Jurisdiction, Unlawfully Transported Petitioner against my will. Interstate Commerce Act Across State Boundaries, Forcibly placing me in Tarrant County, Texas Custody. I'm now being held hostage, (Seizure) Kidnapping. Federal Criminal Statute, Petitioner was denied right in the explicit provision of Self Aid. In The Uniform Criminal Extradition Act, (1951)

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Tort Claims - Constitutional, dignity, personal, intentional, Damages common law
False imprisonment, 400 per day imentined released with prejudice and Evidence
Back home to Arkansas, Case dismissed on False Imprisonment, Governor's Record my Record
Cleared of Being
Arrested.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Joseph Joe Gregory

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

N/A

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

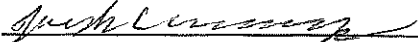
4. Have the sanctions been lifted or otherwise satisfied? YES NO

There was no probable cause to make a 4th, 5th, 8th and 14th Amendment Arrest. I was ~~arrested~~ in Jackson County, Arkansas in Newport Arkansas, On February 3, 2021. I had Governor's warrant to be issued on my behalf on false charges of my warrant. The Judge of Jackson County Arkansas said Attorney and extradition trial would take place, I was served Governor's warrant on April 29, 2021, which would be 87 days later after my arrest. I was supposed to be served in a court room with Attorney and Judge present. Instead Sheriff Lucas of Jackson County, Arkansas served me in a office alone no witnesses. I was not told of my rights to contest writ of Habeas Corpus in court room. I was picked up by Extradition officers on May 6, 2021. Tarrant County, Texas shows that I was in their custody on May 7, 2021. That is 93 days later in Tarrant County, Texas custody. I was not given my 30 days to appeal Governor's warrant. Instead Tarrant County, Texas decided they would rush extradition so I couldn't appeal Governor's warrant. Both states Governor's warrants are void, which makes my arrest illegal. Tarrant County, Texas has no personal jurisdiction over me. Section 10 of the Uniform Extradition Act (Arts 1.13) Not in Tarrant County jurisdiction. I'm a U.S. Hostage in Federal jurisdiction (18 USC 1201). Due process flow: 5th Amendment applying to ~~federal~~ 14th applying to state. I'm a resident of Arkansas since 2010 a non resident of Texas. Governor's warrant says I fled ~~from~~ Texas avoiding prosecution. A Fugitive from ~~Texas~~ ^{Justice} and taken refuge in Arkansas. I live in Arkansas not in Tarrant County Texas. I should be extradited back to Arkansas and released with no justice for false imprisonment with a state fee of \$100 per day and federal fee of \$400 per day of my illegal confinement.

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES _____ NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): _____
 2. Case number: _____
 3. Approximate date warning was issued: _____

Executed on: 4/05/22
DATE

Joseph L. Gregory


(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this Fifth day of April, 20 22.
(Day) (month) (year)

Joseph L. Gregory


(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.



SHARON KELLER
PRESIDING JUDGE

BARBARA P. HERVEY
BERT RICHARDSON
KEVIN P. YEARY
DAVID NEWELL
MARY LOU KEEL
SCOTT WALKER
MICHELLE M. SLAUGHTER
JESSE F. MCCLURE, III
JUDGES

COURT OF CRIMINAL APPEALS
P.O. BOX 12308, CAPITOL STATION
AUSTIN, TEXAS 78711

DEANA WILLIAMSON
CLERK
(512) 463-1551

SIAN SCHILHAB
GENERAL COUNSEL
(512) 463-1597

Monday, March 14, 2022

Joseph L Gregory
Tarrant County Jail - #0440167
100 N Lamar St
Fort Worth, TX 76196

Re: Gregory, Joseph L
CCA No. WR-93,378-01
Trial Court Case No. C-213-W012064-1673103-A

Your letter has been received. Please be advised your application for writ of habeas corpus has been received on 12/16/2021. The status is: **DISMISSED on 1/26/2022.**

IMPORTANT: PLEASE INFORM THIS COURT OF ALL ADDRESS CHANGES IN WRITING.

Sincerely,

A handwritten signature in black ink that reads "Deana Williamson". The signature is written in a cursive, flowing style.

Deana Williamson, Clerk

Joseph L Gregory #0440167
Tarrant County Correction Center
100 N. Lamar ST
Fort Worth, TX 76102

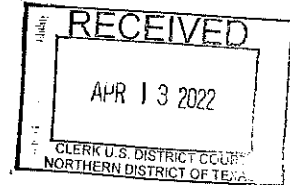
NORTH TEXAS TX 750

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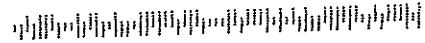
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United States District Court
Office of the Clerk
Northern District of Texas
501 West Fifth ST. Room 310
Fort Worth, TX 76102



76102-975999



LEGAL
MAIL

TARRANT COUNTY JAIL MAILROOM

✓